

COMMONWEALTH OF KENTUCKY
BEFORE THE UTILITY REGULATORY COMMISSION

In the Matter of:

THE COMPLAINT OF MRS. ANTHONY W.
GAMES AGAINST THE FARMDALE WATER
DISTRICT

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)
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CASE NO. 7740

O R D E R

Preface

On December 19, 1979, this Commission received a letter from Mrs. Anthony W. Games (hereinafter referred to as "Mrs. Games") challenging the propriety of Farmdale Water District's (hereinafter referred to as "District") charge for the meter replacement, due to vandalism, on Mrs. Games' property on Highwood Drive in Frankfort, Kentucky.

On December 28, 1979, Mr. N. P. Green informed the Commission by letter that the District was of the position that the customer should reimburse the District for meter replacement due to vandalism.

The matter was heard on April 17, 1980, in the Commission's office at Frankfort, Kentucky. The entire matter is now considered to be fully submitted for a determination by the Commission.

Findings in this Matter

The Commission having reviewed the record, having heard oral testimony and being advised, is of the opinion and FINDS:

(1) That the District, while acting in good faith by replacing the damaged meter cannot expect the customer to make retribution for damage not caused by the customer.

(2) That the District's tariff on file with this Commission does not contain any provision for collection of customer charges associated with the replacement of a meter.

Orders in this Matter

The Commission, on the basis of the matters hereinbefore set forth,
and the evidentiary record in this case:


HEREBY ORDERS that the District shall make no further demands for
retribution from Mrs. Games in this matter.

Done at Frankfort, Kentucky, this 26th day of
September, 1980.

UTILITY REGULATORY COMMISSION


Chairman

Vice Chairman


Commissioner

ATTEST:

Secretary